

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 7, 1983

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 9:51 a.m. and immediately recessed to convene as the Committee of the Whole. The Committee of the Whole was recessed by Mayor Hedgecock at 9:34 a.m. to convene as the Redevelopment Agency. The Committee of the Whole was reconvened by Mayor Hedgecock at 9:38 a.m. The Committee of the Whole was recessed by Mayor Hedgecock at 10:20 a.m. to reconvene as the Council with Council Member Cleator not present.

Mayor Hedgecock and the Council welcomed students from Tolar Elementary School accompanied by their teacher, Irene Netter. The meeting was recessed by Mayor Hedgecock at 10:30 a.m. into Closed Session in the twelfth floor conference room regarding pending litigation and to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Hedgecock at 2:05 p.m. with Council Members Cleator and Jones not present. The meeting was recessed by Mayor Hedgecock at 2:25 p.m. The meeting was reconvened by Mayor Hedgecock at 2:32 p.m. with Council Member Cleator not present. Mayor Hedgecock adjourned the meeting at 3:50 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-not present.
 - (3) Council Member McColl-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksmma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (jb a.m.; bb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

Mayor Hedgecock-present.

Council Member Mitchell-present.

Council Member Cleator-not present.

Council Member McColl-present.
Council Member Jones-present.
Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez- present.

ITEM-330: (R-83-1720) ADOPTED AS RESOLUTION R-258608

Considering the protests and determining that the public interest and convenience requires the acquisition of property in Maple Canyon for open space park purposes under Resolution of Intention R-258466, adopted May 16, 1983; authorizing the expenditure of not to exceed \$700,000 as payment for said property and related costs from Open Space Bond Fund 79102. (See City Manager Report CMR-82-188. Uptown Community Plan. District-8.)

CITY MANAGER REPORT:

Maple Canyon, one of the few remaining undeveloped uptown canyons, is a northeast-southwest bearing canyon located between Curlew Street and Fourth Avenue to the west and east, and Maple Street and Redwood Street to the south and north. This canyon lies within the Uptown Canyon Open Space System which is the eighth priority on the Open Space Retention List adopted by the City Council on January 8, 1979. There are currently 18 acres in City ownership which were dedicated as Maple Canyon Open Space Park on July 29, 1982 by Ordinance O-15768. An additional four lots were recently approved for purchase in a separate action.

City Manager Report CMR-82-188, dated May 12, 1982, recommended three additional acres for purchase in Maple Canyon as part of the reprogramming of approximately \$7,771,939 in funds remaining from the Second Bond Issuance. Council subsequently approved an acquisition plan which included these parcels, along with funds to have them appraised for purposes of acquisition for open space.

FILE LOCATION:

STRT OS-8

COUNCIL ACTION: (Tape location: D105-195).

Hearing began at 2:14 p.m. and halted at 2:20 p.m.

Testimony in opposition by Roselyn L.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331: CONTINUED TO JULY 5, 1983, 2:00 P.M.
19830607

(Continued from the meetings of February 15, 1983, March 1, 1983 and April 26, 1983; last continued at Don Calori's request.)

Matter of rezoning Lots 21 thru 40, Block 7, Grantville, Map-778 (approximately 1.5 acres), located at 10383 Friars Road, in the Navajo Community Plan area, from Zone A-1-10 (portion in Floodplain Fringe Overlay) to Zone M-1A.

(Case-82-0607. District-7.)

Subitem-A: (R-83-1196)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0607 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-148)

Introduction of an Ordinance for M-1A Zoning.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: D028-087).

Hearing began at 2:07 p.m. and halted at 2:12 p.m.

MOTION BY MURPHY TO CONTINUE TO JULY 5, 1983, 2:00 P.M., AT HIS REQUEST, FOR DEVELOPER TO SUBMIT AN AMENDED PLAN TO COMMUNITY

PLANNING GROUP. Second by Struiksmma. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332: CONTINUED TO AUGUST 9, 1983, 9:00 A.M.
19830607

(Continued from the meetings of March 17, 1981, September 29, 1981, and June 1, 1982; last continued at Council Member Murphy's request.)

Matters set forth below which affect the following real property:

Lot 190, Collwood Park Unit No. 2, Map-2495 and a portion of Montezuma Road Closed (approximately .16 acres), located on the south side of Montezuma Road between Rockford Drive and 63rd Street, in the State University Community Plan area.

1) Rezoning the above described real property from Zone R-2

to Zone R-3.

(Case-5-80-101.)

2) Appeal of Patricia J. Hannum, from the decision of the Planning Commission in approving Conditional Use Permit CUP-10-622-0 to provide a fraternity residence and meeting place within a close proximity to the university campus, with parking and landscaping located on the above described real property.

(CUP-10-622-0. District-7.)

Subitem-A: (R-81-1481)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-11-08 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-186)

Introduction of an Ordinance for R-3 Zoning.

Subitem-C: (R-83-)

Adoption of a Resolution granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

Subitem-D: (R-83-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-80-11-08.

FILE LOCATION: PERM CUP-10-622-0

COUNCIL ACTION: (Tape location: D004-027).

Hearing began at 2:06 p.m. and halted at 2:07 p.m.

MOTION BY MURPHY TO CONTINUE TO AUGUST 9, 1983, 9:00 A.M., AT HIS REQUEST, SO ITEM CAN BE HEARD AT THE SAME TIME AS AMENDMENT TO THE COLLEGE AREA COMMUNITY PLAN REGARDING FRATERNITY OVERLAY ZONE IS

HEARD. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: CONTINUED TO SEPTEMBER 13, 1983, 2:30 P.M.
19830607

Matters of:

- a) Proposal to revise the Mira Mesa Community Plan.
- b) Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed revision to the Mira Mesa Community Plan.

The purposes of the revision are to establish the location of a community park site and to amend the language within the industrial element.

The Mira Mesa community is located between I-805 on the west, I-15 on the east, Los Penasquitos Canyon to the north and Miramar Road and the AT&SF Railroad to the south.

(District-5.)

Subitem-A: (R-83-1818)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-12-30 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-83-1820)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0112 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-C: (R-83-1821)

Adoption of a Resolution approving the amendment to the community plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about June 28, 1983.

Subitem-D: (R-83-1819)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-80-12-30.

FILE LOCATION: LAND Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: D088-104 and D265-358).

Hearing began at 2:12 p.m. and recessed at 2:13 p.m.

Hearing resumed at 2:32 p.m. and halted at 2:37 p.m.

MOTION BY STRUIKSMA TO CONTINUE TO SEPTEMBER 13, 1983, 2:30 P.M.,
AT THE REQUEST OF WORLD EVANGELISM, INC. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgcock-yea.

ITEM-334:

19830607

Matter of the appeal of Ruth M. Cigledy from the decision of the Planning Commission in approving Conditional Use Permit CUP-83-0193, to construct and operate a St. Vincent de Paul emergency center (to provide temporary housing for homeless youths, families, seniors and singles, with a community services center, clinic, chapel, classrooms, offices, kitchen and dining hall), on a 0.92 acre site in Zones M-1 and M-2. The property is located on the north side of Commercial Street between 15th and 16th Streets in the Centre City Community Plan area and is further described as Lots 1 through 12, Block 56, Sherman's Addition, Map-278 and Map-856.
(Case-CUP-83-0193. District-8.)

Subitem-A: (R-83-2003) ADOPTED AS RESOLUTION R-258609

Adoption of a resolution certifying that the information contained in Environmental Negative Declaration END-83-0193 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-83-2004) ADOPTED AS RESOLUTION R-258610

Adoption of a Resolution granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE LOCATION:

PERM CUP-83-0193

COUNCIL ACTION: (Tape location: D359-E175).

Hearing began at 2:38 p.m. and halted at 3:08 p.m.

Testimony in favor of appeal by Ruth M. Cigledy, R. D. Spicer, Pat Mack and Roselyn L.

Testimony in opposition of the appeal by Father Joseph A. Carroll, and Mark Bucon.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT SUBITEMS A
AND
B DENYING THE APPEAL AND GRANTING THE PERMIT UPHOLDING THE
DECISION

OF THE PLANNING COMMISSION. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335:
19830607

Matter of rezoning Lots 3 through 14 and a portion of Lot 15, Block 22, Normal Heights, Map-985 (approximately 1.86 acres), located north of Adams Avenue between 36th Street and Cherokee Avenue, in the Mid-City Community Plan area, from Zones C and R-3A to Zone CA.

(Case-82-0597. District-3.)

Subitem-A: (R-83-1775) ADOPTED AS RESOLUTION R-258611

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0597 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-231) INTRODUCED, TO BE ADOPTED JUNE 20, 1983

Introduction of an Ordinance for CA Zoning.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: E176-256).

Hearing began at 3:09 p.m. and halted at 3:14 p.m.

MOTION BY McCOLL TO CLOSE THE HEARING, ADOPT SUBITEM A AND INTRODUCE SUBITEM B. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-336:
19830607

Matters of:

1) Proposed amendments to the Southeast San Diego Community Plan and the South Bay Terraces Community Plan, to change the residential density designation from 0-5 dwelling units per acre to 10-15 dwelling units per acre for approximately 11.67 acres of land.

2) An appeal of Raul and Fredericka Jaquez from the decision of the Planning Commission in approving Planned Residential Development Permit PRD-83- 0085 on a portion of the

11.67 acres. (Case-PRD-83-0085.)

3) Rezoning Lot 20, Encanto, Map-749 (approximately 10.01 acres), located at the southeast corner of Skyline Drive and Leghorn Avenue, from Zone R-1-5 to Zone R-2. (Case-5-81-100.)

4) Rezoning Parcels A-D, Division Plat 75 (approximately 1.66 acres), located at the northeast corner of Skyline Drive and Leghorn Avenue, from Zone R-1-5 to Zone R-2. (Case-83-0085.)

The above items are associated with two development projects. The first project (PRD-83-0085) is located at the northeast corner of the intersection of Skyline Drive and Woodman Street within the boundaries of the Southeast San Diego Community Plan. The project proposes to develop a 1.83-acre site with a 16-unit planned residential development.

The second site is south of Skyline Drive on the east and west side of an unimproved portion of Woodman Street, within the boundaries of the Southeast San Diego and the South Bay Terraces Community Plans. The project proposes to develop a ten-acre site with a 101-unit Planned Residential Development. Both projects are zoned R-1-5 (proposed R-2). Both projects require an amendment to the community plans for a change in residential density from 0-5 dwelling units per acre to 10-15 dwelling units per acre.

(District-4.)

(If the Council approves the rezonings, the following will apply: Case 83- 0085 is subject to park fees and Case-5-81-100 is subject to the recordation of a final subdivision map within two years.)

Subitem-A: (R-83-1776) ADOPTED AS RESOLUTION R-258612

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-83-0085 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-83-1777) ADOPTED AS RESOLUTION R-258613

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-81-12-21 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and

considered by the Council.

**Subitem-C: (R-83-2005) ADOPTED AS RESOLUTION R-258614 DENYING
THE APPEAL**

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit, with appropriate findings to support Council action.

Subitem-D: (O-83-232) INTRODUCED, TO BE ADOPTED JUNE 20, 1983

Introduction of an Ordinance for R-2 Zoning on the 1.66 acre site.

Subitem-E: (O-83-233) INTRODUCED, TO BE ADOPTED JUNE 20, 1983

Introduction of an Ordinance for R-2 Zoning on the 10.01 acre site.

Subitem-F: (R-83-1893) ADOPTED AS RESOLUTION R-258615

Adoption of a Resolution approving the community plans, to be effective when the amendment to the General Plan is adopted after a hearing on or about September 27, 1983.

FILE LOCATION: Subitem-A, B and F LAND SE San Diego and South Bay Terraces
Community Plans; Subitem-C PERM PRD-83-0085

COUNCIL ACTION: (Tape location: E257-F150).

Hearing began at 3:15 p.m. and halted at 3:49 p.m.

Testimony in favor of project by Jewel D. Hooper and Fredrick Myers.

Testimony in opposition of project by Leghorn Associates, Albert Mireles, and Thomas Scott.

MOTION BY JONES TO CLOSE THE HEARING, ADOPT SUBITEMS A, B, C DENYING THE APPEAL AND GRANTING THE PERMIT, AND SUBITEM-F, AND INTRODUCE SUBITEMS D AND E. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

**ITEM-337: (O-83-247) INTRODUCED AND ADOPTED AS ORDINANCE O-15991
(New Series)**

Introduction and adoption of an Ordinance amending Ordinance O-15780 (New Series), as amended, entitled "An Ordinance adopting the annual budget for the Fiscal Year 1982-83 and appropriating the necessary money to operate the City of San

Diego for said Fiscal Year" by amending document No. 00-15780-1, as amended and adopted therein, by adding to the personnel authorization of Council District 4 (024), one Council Representative II position; exempting said position from the classified service, and establishing a salary rate therefor.

COUNCIL MEMBER REPORT:

In November 1979, the voters approved an amendment to Charter 117 to allow for additional positions in the unclassified service. This Charter Section now reads, "The Unclassified Service shall include: Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council."

The requested position has significant management level responsibilities which fall well within the managerial definition contained in Charter Section 117(a) 17. Also, this position has duties and responsibilities comparable in level of difficulty and independence to those of other Council Representatives in the City, whose positions have been exempted from the Classified Service.

The Civil Service Commission on May 12, 1983, reviewed this recommendation. By separate memorandum they are forwarding their comment which was in support of exempting this position from the Classified Service.

NOTE: First hearing was held June 6, 1983

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D196-265).

MOTION BY JONES TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Struiksmma. Passed by the following vote:

Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-3: (R-83-1979) ADOPTED AS RESOLUTION R-258616

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing the City Manager to execute a Memorandum of Agreement with Ukegawa Brothers, Inc., Vista Loma Investments, Hiroshi Ukegawa, Joe Ukegawa, Miwako Ukegawa and June Ukegawa concerning overdue water accounts.

FILE LOCATION:

DEED F-1944

COUNCIL ACTION: (Tape location: (F151-162)).

MOTION BY MITCHELL TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-CS-1: (R-83-1829) ADOPTED AS RESOLUTION R-258617

A Resolution adopted by the City Council in Closed Session on June 7, 1983:

Authorizing the City Manager to pay the total sum of \$17,000 in the settlement of each and every claim against the City of San Diego, its agents and employees resulting from bodily injury and property damage to Ronald Ellis Walter; that the City having advanced the sum of \$5,000, the City Auditor and Comptroller is authorized to issue one check in the amount of \$12,000, made payable to Ronald Ellis Walter and his attorney, Glen Birch, in full settlement of all claims.

FILE LOCATION:

MEET

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor Hedgecock at 3:50 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: F162).